

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,)
4)

5 Plaintiff,)

6 vs.)

7 JOSHUA LEE PARKHURST,)
8)

9 Defendant.)
10)

Case No.: 2:14-cr-164-GMN-NJK

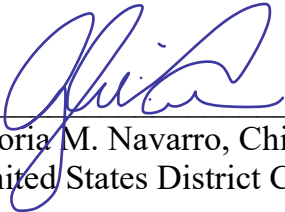
ORDER

11 Pending before the Court is Defendant Joshua Lee Parkhurst's ("Defendant's") Motion
12 to Reconsider (ECF No. 37) the Court's Order (ECF No. 36).

13 "[A] motion for reconsideration should not be granted, absent highly unusual
14 circumstances." *Carroll v. Nakatani*, 342 F.3d 934, 945 (9th Cir. 2003) (citation omitted).
15 Reconsideration is appropriate where: (1) the court is presented with newly discovered
16 evidence, (2) the court committed clear error or the initial decision was manifestly unjust, or
17 (3) if there is an intervening change in controlling law. *School Dist. No. 1J, Multnomah Cty v.*
18 *ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993). Here, Defendant has not provided any
19 sufficient justification for the Court to reconsider its prior order. To the extent that Defendant
20 is seeking relief regarding a deprivation of rights under 42 U.S.C. § 1983, Defendant must file a
21 separate civil action under 42 U.S.C. § 1983. Accordingly,

22 **IT IS HEREBY ORDERED** that Defendant's Motion to Reconsider (ECF No. 37) is
23 **DENIED.**

24 **DATED** this 9 day of May, 2017.

25 
Gloria M. Navarro, Chief Judge
United States District Court